

30 JCWSCS 26 JAN 2004

01/23/2004 15:06 FAX 9495876710

001



ORRICK, HERRINGTON & SUTCLIFFE LLP  
OLD FEDERAL RESERVE BANK BUILDING  
400 SANSOME STREET  
SAN FRANCISCO, CALIFORNIA 94111-3143  
tel 415-392-1122  
fax 415-773-5759  
WWW.ORRICK.COM

FAX TRANSMISSION

DATE 1/23/04

NO. OF PAGES  
(INCLUDING COVER SHEET) 3

FROM

name

tel

Kenneth S. Roberts

(949) 852-7760

TO

name

company/firm

tel

fax

Commissioner of Patents

703-746-9195

Attention: Office of Initial  
Patent Examination

RE Application No. 10/659,502  
Filed: September 9, 2003  
Orrick Docket No. 703538.4020

MESSAGE

Please find attached a copy of the Filing Receipt regarding above-identified patent application. We believe the data provided by applicant is correct and do not understand why it is not consistent with PTO Records. Could you let us know why the PTO believes the Domestic Priority Data claimed by Applicant is not correct? Thank you for your attention to this matter.

C-M-A 703538.4020

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL MARY L. SMITH AT 949-852-7781 AS SOON AS POSSIBLE.

notice to recipient

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED TO BE SENT ONLY TO THE STATED ADDRESSEE OF THE TRANSMISSION. IT MAY BE PROTECTED FROM UNAUTHORIZED USE OR DISSEMINATION BY THE ATTORNEY-CLIENT PRIVILEGE, THE ATTORNEY WORK-PRODUCT DOCTRINE, OR ANY OTHER APPLICABLE PRIVILEGE. IF YOU ARE NOT THE STATED ADDRESSEE, YOUR RECEIPT OF THIS TRANSMISSION WAS UNINTENDED AND INADVERTENT, AND YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. YOU ARE ALSO ASKED TO NOTIFY US IMMEDIATELY BY TELEPHONE AND TO RETURN THE ORIGINAL DOCUMENT TO US IMMEDIATELY BY MAIL AT THE ADDRESS ABOVE. THANK YOU IN ADVANCE FOR YOUR COOPERATION.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FILE FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/659,502	09/09/2003	3641	744	703538.4020	16	61	3

CONFIRMATION NO. 3627

34313

ORRICK, HERRINGTON & SUTCLIFFE, LLP  
4 PARK PLAZA  
SUITE 1600  
IRVINE, CA 92614-2558

## FILING RECEIPT



\*OC000000011391326\*

Date Mailed: 12/02/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Hendrik J. Monkhorst, Gainesville, FL;  
Norman Rostoker, Irvine, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 10/077,661 02/14/2002 PAT 6,628,740  
which is a CIP of 09/902,934 07/10/2001 ABN  
which is a CON of 08/953,130 10/17/1997 ABN \*  
and said 10/077,661 02/14/2002  
is a CIP of 09/915,965 07/25/2001  
which is a CON of 09/878,046 06/08/2001 ABN  
which is a CIP of 08/953,130 10/17/1997 ABN \*  
and said 10/077,661 02/14/2002  
claims benefit of 60/277,374 03/19/2001  
and claims benefit of 60/297,086 06/08/2001

(\*)Data provided by applicant is not consistent with PTO records.

## ORRICK IP PROSECUTION

Due Date 3.9.05Action Item statusResp Atty KSRDocketed by merEntered Calendarel

## Foreign Applications

If Required, Foreign Filing License Granted: 12/01/2003

Projected Publication Date: 03/11/2004

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Controlled fusion in a field reversed configuration and direct energy conversion

**Preliminary Class**

376

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).